ട്ടാണ് തീർന്നിരിക്കുന്നത്. അതിനാൽ മേലാലെങ്കിലും ഈ ഏർപ്പാട് നിറുത്തൽ ചെയ്യണമെന്ന് ഞാനും അഭിപ്രായപ്പെടുന്നു. ഈ പാസ്സ് ഏർപ്പാടുള്ളതിൽ സാധുജനങ്ങൾ കാട്ടിൽ പോയി കഷ്ടപ്പെട്ട് വല്ല സാധനവും കൊണ്ടുവന്ന് വല്ലതും ചെയ്യുവിറ്റാൽ കിട്ടുന്നതിനേക്കാൾ തുക ചില ഉദ്യോഗസ്ഥന്മാർക്ക് കൊടുക്കേണ്ടിവരുന്നു. ഒരാൾ ഒരു ചുമട് മുളയോ വല്ലതും കൊണ്ടുവന്നാൽ രണ്ടോ നാലോ കൊട്ട ഉണ്ടാക്കാൻ സാധിക്കും. അതു വിറ്റു കിട്ടുന്നതിനേക്കാൾ അധികം ചില ഗവർമ്മെൻറ് ഉദ്യോഗസ്ഥന്മാർക്കു തന്നെ ഫ്രീപാസ്സു വാങ്ങുന്നതിനും കൊണ്ടുവരുന്നതിനുമായി ഇപ്പോൾ കൊടുക്കേണ്ടിയിരിക്കുന്നു.

വോട്ടിനിട്ടതിൽ പ്രമേയം പാസ്സായി.

The following amendment of Mr. P. Kumaran Ezhuthassan was not moved and was hence considered withdrawn:—

"വിറക" എന്നതിനു ശേഷവും "മുതലായതുകൾ" എന്നതിനു മുമ്പായി "ഞണങ്ങ" "ഞണങ്ങില്ലി" എന്നുകൂടി ചേർക്കുക.

17. Throwing open tanks and wells.

Deputy President.—Next resolution stands in the name of Mr. K. T. Mathew.

Mr. K. T. Mathew.—I beg to move that "*This Council requests the Government to throw open all tanks and wells maintained out of public funds to all without the distinction of caste or creed.*"

I commend this resolution to the acceptance of the House.

Mr. A. B. Salem.—I rise to second the resolution. In doing so; I wish to contribute just two words. Government exists for all; Government cannot say that the funds that they take into the Treasury are not collected from all. So every pie of it is to be devoted for the benefit of all and not of particular sections. If you will carefully look into the matter, you will find that the Treasury is filled more by the poor non-caste people than by the richer of the caste people of the land. The drink revenue comes mainly from the non-caste and poor sections of the society. Caste people also contribute to a small extent. Now-a-days they have taken credit for drinking. My objection is to the poor people drinking and losing their vitality. A rich man may drink to his heart's content, a hogshead full of whisky and grow still more fat, but the poor man will be drinking at the cost of the well-being of his family. Let me go on. You are giving all facilities by keeping open the liquor shops till 8 or 9 p. m. and saying you are drunkards. The revenue from the Excise is mainly from the non-caste and the poor sections of society or the body politic. That is a fact and an axiom. But of the 19 lakhs of rupees of

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revenue collected from the land, the major portion comes from the tiller of the soil and not from the title-holders. It is the Pulaya that cultivates the land. As they are cultivating, they also pay and raise produce. Ultimately the wealth of the land is that of the labourers. I do not wish he should go without anything. He must get his share. Your main revenue comes from the poor, and there is, therefore, no justification that these wells and tanks which are maintained by the public fund should not be open to them. Either you open it to the public or do not maintain them at Government cost. If the Brahmins want a tank, let them have it and bear the cost of it. Those who wish to have a separate well or tank let them have it and bear the cost. Let us revise our policy. If the Government provides tanks, provide for all. If you are not prepared to do so, do not provide them at all. Do not maintain a single tank or well that is not open to all. Those who want their own tank, let them dig them. Let the Government take a neutral attitude. If you are maintaining out of public funds, it must be opened to all. That is the rational way in the immediate present in which these questions must be looked into. We have our sister State of Travancore as an example. After the Vaicom Sathyagraha they threw open all the roads.

You tell me that the tank is dirty. Perhaps it may be. I do not consider that it will be good, but if you maintain a public tank at public cost everybody must have a right to bathe in it.

Deputy President.—Then that must apply to buildings. What is the difference? I do not want to complicate the question. Is this building open to all?

Diwan Bahadur Dr. V. Verghese.—You bring in, I would say, Bolshevism and all attendant things into the State. In British India, what is the policy adopted? Each and every caste is provided with his necessities.

Mr. A. B. Salem.—British India is the worst place in India where all these things are observed. You shall not see greater sinners in India. Their policy is to divide and rule.

Deputy President.—I cannot permit such statements to go in.

Mr. A. B. Salem.—I only say that, that is why they maintain provisions according to the necessities of the different communities living there. Do not take up that policy. I am now on the broad question, *viz.*, that, if the Government funds are used for maintaining tanks and wells, it must be open to the public as a general rule. I do not ask to abolish castes. You must create harmony in the minds whatever rules the orthodox people may dictate to the Ezhuva who wants equality with the

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Brahmins. But in the meantime why should you spend the money of the Ezhuva for the purpose of maintaining the crude principles of the Brahmins? I am not saying particularly that the money of the greater section goes to the smaller section. You take money from all and so whatever you provide, it must be for all. I do not want to say a particular temple should be thrown open to all. What I am saying is, if you are going to spend Government fund, say that "We are going to spend for the general public and not for a particular section or community. Otherwise we will not spend".

മിസ്റ്റർ പി. കുമാരൻ എഴുത്തച്ഛൻ.—സർ, ഈ പ്രമേയത്തെ പിന്താങ്ങുന്നതിൽ എനിക്ക് ഒരുപോലെ സന്തോഷവും വ്യസനവും ഉണ്ട്. ഒട്ടേറെ ജനങ്ങൾക്ക് വേദന നൽകുന്ന ഈ ഒരു സംഗതി സഭയിൽ ആലോചനക്ക് കൊണ്ടുവന്ന സ്ഥിതിക്ക് നിവൃത്തി ഉണ്ടെങ്കിൽ അതിവിടെ പാസ്സാക്കണമെന്നുള്ള വിചാരമാണ് എന്റെ സന്തോഷത്തിനു കാരണം. പൊതുജനങ്ങളിൽ നിന്നും വാങ്ങുന്ന സംഖ്യ ഉപയോഗപ്പെടുത്തി, അതിൽ ഏതാനും ഭാഗക്കാക്ക് മാത്രം കിണറ്, കുളങ്ങൾ മുതലായവ ഉണ്ടാക്കിക്കൊടുക്കുകയും അതു മറ്റാർക്കും ഉപയോഗിക്കുവാൻ പാടില്ലെന്നുമുള്ള അനീതിയായ ഏർപ്പാട് മാറണമെന്നും അപേക്ഷിക്കുന്നതിനായുള്ള ഒരു പ്രമേയം കൊച്ചി ഗവർമ്മേണ്ട് രാജ്യഭാരം ചെയ്തുപോരുന്ന ഒരു രാജ്യത്തിലെ നിയമസഭയിൽ കൊണ്ടുവരുവാൻ ഇടയായല്ലൊ എന്ന വിചാരത്തിൽ നിന്നാണ് എനിക്കുണ്ടാകുന്ന സന്താപം. (*Hear, hear*) തീണ്ടായ്മയും ഈ പ്രമേയവും ഇതുപോലെയുള്ള മറ്റു പ്രമേയങ്ങളും ഈ സഭയിൽ കൊണ്ടുവരാതിരിക്കത്തക്കവണ്ണം ജനങ്ങൾക്കു തമ്മിൽ ഗവർമ്മെണ്ട് വരുത്തിവെച്ചിട്ടുള്ള അസമത്വത മുമ്പേതന്നെ ഗവർമ്മേണ്ടും സ്വയം, മറ്റാരും ഇതൊന്നും പറയാതെതന്നെ, നീക്കിക്കളയേണ്ടതായിരുന്നു. പൊതുജനങ്ങളിൽ നിന്നും പിരിക്കുന്ന പണം കൊണ്ട് രാജ്യത്തിലെ ഒരു വിഭാഗം ജനങ്ങളുടെ സുഖസൌകര്യാദികൾക്കായിമാത്രം ചില ഏർപ്പാടുകൾ ചെയ്യുകയും അതിൽ മറ്റു ഭാഗക്കാർക്ക് പങ്കില്ലെന്ന് വിധിക്കുകയും ചെയ്യുന്നത് ഒരു പരിഷ്കൃത ഗവർമ്മെണ്ടിനും പ്രത്യേകിച്ച് നമ്മുടെ ഗവർമ്മെണ്ടിനും, ഭൂഷണമല്ല. അതിനെ നിലനിൽത്താൻ യാതൊരു യഥാർത്ഥമായ ന്യായവും പറയാൻ കാണുകയില്ല. ഈ വിഷയത്തെപ്പറ്റി പറയാനാണെങ്കിൽ ധാരാളം ഉണ്ട്. സമയപരിമിതിക്കുള്ളിൽ മൂന്നാംദിവസമായിട്ടും ആദ്യത്തെ ദിവസത്തെ ഫസ്റ്റ് പ്രമേയത്തിലേക്ക് മാത്രമെ പ്രവേശിക്കുവാൻ സാധിച്ചിട്ടുള്ളു എന്നതുകൊണ്ടും ഇതിനും ചുരുക്കിപ്പറഞ്ഞുകൊണ്ട് ഈ പ്രമേയത്തെ ഞാൻ ബലമായി അനുകൂലിക്കുന്നു.

മിസ്റ്റർ ഔസേപ്പ് പി. കണ്ടുകുളം.—സർ, എന്റെ മിക്ക സ്നേഹിതന്മാരും ഈ പ്രമേയത്തെ പറഞ്ഞിട്ടുള്ളതിനു വിരോധമാ

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യിട്ടാണു് ഞാൻ സംസാരിക്കുവാൻ പോകുന്നതു്. അതിനു് രണ്ടു മൂന്നു കാരണങ്ങളും ഉണ്ടു്. കൊച്ചി രാജ്യഭരണം നടത്തിപ്പോരുന്നതു് നമ്മുടെ പൊന്നുതമ്പുരാക്കന്മാരാണു്. ക്ഷത്രിയവംശജന്മാരായ അവർക്കു് പൊതുഫണ്ടിൽ നിന്നും ഉണ്ടാക്കി കൊടുക്കുന്ന കുളം, കിണറു മുതലായവ കൂടി എല്ലാവർക്കും തുറന്നുകൊടുക്കണമെന്നു് പറയുകയാണെങ്കിൽ അതു നമുക്കു നമ്മുടെ രാജകുടുംബത്തോടുള്ള ഭക്തി ബഹുമാനമില്ലായ്മയെ കാണിക്കുകയാണു്. തൃശ്ശിവപേരൂർ വടക്കെചിറ നമ്മുടെ പൊന്നുതമ്പുരാക്കന്മാരുടെ ആവശ്യത്തിന്നായി പബ്ലിക്കു് ഫണ്ടിൽ നിന്നും ഉണ്ടാക്കിയതും സംരക്ഷിച്ചുവരുന്നതും ആകുന്നു. അതിൽ ജാതി ഹിന്തുക്കളും കുളിച്ചുവരുന്നുണ്ടു്. ജാതി ഹിന്തുക്കൾ കുളിച്ചുവരുന്നു എന്നു കാരണവും പറഞ്ഞുകൊണ്ടു് അതിൽ എല്ലാവർക്കും കുളിക്കാമെന്നു വാദിക്കുന്നതു അധർമ്മമാകുന്നു. അതു പണം ചെയ്തിട്ടുള്ളതു് പൊന്നുതമ്പുരാക്കന്മാർക്കു വേണ്ടിയാണു്. നമ്മുടെ പൊന്നുതമ്പുരാക്കന്മാരുടെ ആവശ്യത്തിനു് പൊതുഫണ്ടിൽ നിന്നും പണം ചിലവാക്കാതെ കഴിയുകയില്ല. നമ്മെ ഭരിക്കുന്ന രാജകുടുംബത്തിന്റെ സുഖസൌകര്യാദികൾക്കു വേണ്ട എല്ലാ ഏർപ്പാടും ചെയ്തുകൊടുക്കേണ്ടതു് നമ്മുടെ തവ മ്മേണ്ടിന്റേയും ചുമതല ആകുന്നു. ആ പൊന്നുതമ്പുരാക്കന്മാർക്കു വേണ്ടി എത്ര ചിലവാക്കേണ്ടി വന്നാലും അതൊരു ചിലവായിക്കണക്കാക്കുവാൻ പാടില്ല. പൊന്നുതമ്പുരാക്കന്മാർ അവരുടെ അന്തസ്സിനും സ്ഥിതിക്കും ഒത്തു ജീവിക്കേണ്ടതു് നമ്മുടെ ബഹുമാനത്തിനും നിലക്കും കൂടി അത്യാവശ്യമാണു്.

രണ്ടാമതു് ബ്രിട്ടീഷ് ചക്രവർത്തി തന്നെ എല്ലാ മതങ്ങൾക്കും എല്ലാ വക സ്വാതന്ത്ര്യവും കൊടുത്തിട്ടുണ്ടു്. അതിനു് വിപരീതമാണു് ഈ പ്രമേയം.

ഞാൻ പ്രത്യേകമായി വീണ്ടും പറയുന്നതു് നമ്മുടെ പൊന്നുതിരുമേനിമാരുടെ ദയയുള്ള മനസ്സിനു് വിപരീതമായി പ്രവർത്തിക്കുന്നതിനു് ഈപ്രമേയം കൊണ്ടു നിർബ്ബന്ധിക്കരുതെന്നാണു്. അതിനു ഈ സഭക്കു അധികാരവുമില്ല. അതിനാൽ ഈ പ്രമേയത്തെ ബലമായി നിഷേധിക്കുന്നു.

മിസ്റ്റർ എ. ബി. സേലം.—അക്കായ്യും ഇതിൽ പെടുത്തിയിട്ടില്ല. കൊട്ടാരം കായ്യും ഇവിടെ പറഞ്ഞുകൂടാ.

മിസ്റ്റർ ഔസെപ്പു പി. കുണ്ടുകുളം.—പബ്ലിക്കു് ഫണ്ടുകൊണ്ടു രക്ഷിച്ചുപോരുന്നു എന്നു ഈ പ്രമേയത്തിൽ പറഞ്ഞതുകൊണ്ടാണു് ഞാൻ ഇങ്ങിനെ പറയുന്നതു്.

Mr. V. V. Anantapadmanabha Ayyar.—I oppose this motion. The mover in this connection did not give us his views with the reasons for bringing this resolution.

Mr. K. T. Mathew.—I have many a time explained it to this Council.

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Mr. V. V. Anantapadmanabha Ayyar.—The Hon'ble Member who just seconded him said that because public revenue is collected by the Government from all the people they should spend it for public purposes as the maintenance of wells and tanks common to all castes. This argument cannot hold good. That public revenue should be spent in a cosmopolitan manner will not stand. Here we have in Cochin State many castes and creeds; many sections of people and they differ in their manners, customs and usuages. Government is bound to recognise every custom and bound to give effect to that custom provided no rule of law does in any way prohibit the exercise of that custom or usuage. If the Government does not recognise these usuages, those communities will not have the protection supposed to be given to them. It comes to that. Well, a question is asked: what is the case with respect to other communities? I do not see why any particular community should not be given the privilege of a tank or a well. My submission is that every community can have a tank or well or other conveniences. If a private person wants a well he must dig for himself; but if the public or a section of the public wants a well or a tank Government has to do it because the Government is to protect the interests of all sections of the public. Otherwise they will be nowhere. But if such rules are introduced as suggested by the Hon'ble mover, what the Government would be really doing is not to open these tanks and wells for all communities but to prohibit that higher caste men from using these tanks. If you throw open these tanks and wells to all castes and communities, you are practically shifting them for the other communities who are by custom prohibited from using such wells and tanks.

While I for one would very well wish that all these castes and communities might be done away with, I cannot help observing that such a course is not practicable. Even if it is practicable, what is the custom, what is the rule which we have to adopt? Shall we adopt the customs and manners of Englishmen, shall we adopt the customs of the Jews or the Mohammadans or the Christians? We do not know which religion we have to adopt, and it is not possible in such a short time to unify or adapt ourselves to any particular custom or manner which all can adopt. So my submission is that it would take some time, and it is not meet that we have to fight in order to work down all differences between the communities themselves in this Council. So my submission is that there is no necessity to put forward such a strong fight in this Council Hall over this matter. We find as a matter of fact all these communal differences are gradually diminishing every day. We are progressing day by day,

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and if we proceed in this line, I am quite sure, as time goes on, we will come to a better and harmonious conclusion than if we put ourselves to fight in this Council Hall:

Mr. Thomas Manjuran—I think the Hon'ble mover of this resolution will admit that this is a question in which the interests of various sections, communities and creeds are involved. He has brought forward this resolution to bring to the notice of the Government that the same privileges should be given to all communities in the matter of tanks and wells. It is admitted on all hands that equal rights and privileges should be given to all and that there should exist no difference as between man and man whether he belongs to the higher social class or lower. While that fact is admitted on all hands, it is also realised by all thinking men that it is impossible for all, in practice, to enjoy the same right or thing. I make a distinction between the existence of equal rights and the enjoyment of the same thing or articles. I am entirely, in fact, at one with the mover in the matter of equal rights. I am as enthusiastic as any one here. But I want him to recognise the facts. Here in our State, as a result of longstanding customs we have various communities, various rights, social relations and hierarchies. Possibly it might be to the advantage and betterment of all if we should try and get over all those distinctions. It will take, however, a very long time to effect all that.

I am not for violent revolution of any sort although I am strongly for healthy evolution. That is to say, I do not think all these conditions can be changed on the morrow. I want the change to come from within, all communities to evolve quietly for a common goal. In the meantime there is no real difficulty for a satisfactory solution. If, as a matter of fact, there are facilities given to the advantage of members of one community over another, it is the bounden duty of the Government which collects money from all communities alike to provide equal facilities for those other communities. I am perfectly at one there with the aspirations of all communities. I am not, on the other hand, for compelling members of one community to allow members of other communities to go and bathe in the same tank or drink from the same well. I say, on the other hand, if a community is having an advantage in the shape of convenient wells or tanks, give the same facilities to the other communities who have not got them. If one community has got a first class pucca hostel situated in the best site in a particular town, give equally good hostels to the members or students of other communities. We must recognise that elementary fact; we must recognise that equality of enjoyment and opportunity must be given to all in a democratic country. (*Hear, hear.*)

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Equality of enjoyment and equality of opportunity does not mean 'sameness of enjoyment' and 'sameness of opportunity', if I may say so, which is *impracticable*.

Mr. A. B. Salem.—Nobody said so.

Mr. Thomas Manjuran.—Then we are at one there.

So I would request the mover of the resolution to kindly consider this aspect and accept as an amendment this proposition of mine, namely, that, wherever there are special facilities given to particular communities, the Government may be pleased to take steps, at an early moment, to give equal facilities to other communities as well. That will secure the desired advantages and at the same time remove the acrimony of communalism from the question.

Before I conclude I must say one word in connection with the speech of the Hon'ble Member for Cheruvirutti. I am perfectly at one with his statement that *this Council is not the place to fight for communalism.* (*Hear, hear.*) I was very much mortified to find in the agenda a certain Bill intended to destroy certain privileges which a certain community enjoyed and considered as valuable, which exist in their community for a very long time, and which they still cherish as very valuable. Fortunately, by a tactical move, the discussion of that question has been deferred for the day, although, according to my interpretation of Council Law, the Bill is, by that move, dead, and I hope there will never more be occasion to oblige us to enter into rancourous discussion on that account. I believe every Member will realise that this Council Hall is not a place to fight communal fights. Let us try and endeavour to work in a harmonious manner, help the Government to govern us better and not to rake up communal questions. If a particular community is labouring under disabiiities, by all means let us help that community to remove these. But let not the ruling community, especially, so to call it, come down upon what is really a non-ruling minority community to escheat it of what it cherishes as a privilege. I say that we should try and prevent this sort of thing cropping up in the future. The threatened community will fight for those privileges, and as Mr. Churchill said 'that community will be right.' No use mincing matters.

I repeat what I said a moment ago and pray the mover of the resolution may kindly consider the alteration suggested rather than press this resolution. My suggestion is that equality of enjoyment and equality of facilities be given wherever they do not exist.

Dr. A. R. Menon.—Sir, if I want this discussion to continue, there is the greatest reason for it. In the agenda paper you will find that a large number of questions was based upon the same principle, and I,

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who consider myself to be a nationalist, I, who consider myself to be a follower of the Congress, if I try to oppose this measure, I am bound to assign the reason why I take a line of action which is, from a superficial point of view, inconsistent with my preachings. I am also bound to assign the reason why I, who supported the resolution that hostels should be thrown open to all students irrespective of class, community or religion, should come forward on this occasion to offer some observations which will be in the nature of an objection to the putting through of this resolution in this House. What is the reason for my supporting the one resolution and opposing the other? When I explain the reason, you will understand the respective duties of the Government on the one side and the duties of the leaders of the people on the other. We were in support of that resolution because we honestly believed that the student population had reached a stage of development when they would be able to appreciate the motives underlying such a reform, and we had sufficiently good reasons to believe that this student population as a class would accept that resolution without any opposition. What does it indicate? It indicates that they have reached a certain stage of development now. If the general public of the Cochin State has reached such a stage of development, then I honestly think it would be my duty to support this resolution. But I ask the House in all earnestness if they have been satisfied that they have reached that stage. There is one peculiar thing in this land of castes that, of the several religions that have invaded this land, instead of their leaving their impression upon Hinduism, Hinduism has succeeded in leaving its impression upon those religions. Take the case of any religion; take the case of Muhammadanism. There is not a region in this world which gives absolute equality to its followers as Islam does to its followers. In Turkey a friend of mine told me that he saw a sight where nearly 200 and odd soldiers were being commanded by a jet-black Negro. You will never see this absolute social equality and comradeship and brotherhood reached and practised as Islam has been doing during these centuries. Yet that very same Islam fell a victim to the caste system and you will see in North India that there is a kind of caste system among the Muhammadans there themselves. Again, take Christianity. I have no doubt the learned doctor will subscribe to my statement when I say that in Kottayam even in the Temple of God there is the difference observed in the Christian congregation within the Church. Nowhere in the world the Christians observe the system that they observe there. A Paraya convert is treated differently and they are given different seats. My authority for this statement is no less a person than

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the Rev. Andrews. Such being the case, it seems to me this soil is very fruitful of caste prejudices and caste customs, and that being so, it will require enormous trouble on the part of the people as well as on the part of the Government to eradicate these most mischievous and unfortunate divisions that caste produces not only among the Hindus but among the Christians and Muhammadans. As to what extent this feeling has gone, I shall give an example. I would request the House to listen to me for a few minutes.

"Proceedings of the Trichur Town Council, passed at its meeting held on Saturday, 22nd Karkadagam 1090."

"Read representations of the Christian and Ezhuva community in the town regarding the use of the Puthenkulam by both of them."

"The matter being a very important one, the President proposed that it may be adjourned to the next meeting for discussion so that in the meanwhile necessary information may be gathered".

It was then proposed by Mr. V. R. Harihara Ayyar, employed in the St. Thomas' College, that the matter may be disposed of then and there, and that the tank should be set apart exclusively for the use of the Christians, which was seconded by Mr. B. O. Chakko and supported by Mr. P. A. Stephen and passed by a majority, the President, Mr. Kandar Menon, dissenting.

The next representation was a petition of the Christians regarding the use of the Puthenkulam forwarded by the Diwan for remarks. Mr. Bhore was the Diwan at that time. There was a petition from Ezhuvas protesting against it and requesting that they also may be allowed the use of Puthenkulam and also requesting to state the reasons for the Council's adverse decision against their request. It was resolved to inform the Diwan that the Council had already decided to set it apart for the exclusive use of the Christians and for the petition of the Ezhuvas the reply given was this:—"The Council does not see any reason to change its original order and does not feel itself bound to give reasons for its decision."

It is as a result of this that a tank was dug up in Koorkancheri, and it is used by the Ezhuva population now. Now, when, in a single Municipality, which is represented by all communities and with a population which is educated, and which ought to know better than any other, such a protest is made, can you imagine that for the next 50 years it would be possible for us to get over this difficulty? I may remind you that this protest was issued by a community which does not recognise the caste system. What does it mean? I can quite understand that it was not with a bad purpose that those who supported this re-

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solution did so. They knew perfectly well that the generality of the Christian population have not risen to that height which would allow them to tolerate persons of other communities to bathe in the same tank. If it is so, I do not think it is possible for a Hindu who is caste-ridden and a priest-ridden person to bow to this decision and in a country which is also caste-ridden and where superstition has taken deep root and with a population which is always warring and jarring on communal, religious and sectarian principles, such resolutions would be out of place in this House. I have observed on another occasion, and I simply follow the remarks that fell from the Director of Public Instruction, as to what the duty of the Government would be under such conditions, and I entirely endorse that view. It will be the duty of the Government to watch what progress the general population have made, and as soon as the Government see that they have reached a stage of development, then Government can, with reasonable security, undertake to effect any reform, then it is the duty of the Government to undertake such reforms. But it will be the duty of the leaders of the people to go to the public and convert their mentality so that they may come forward here and give an assurance to the Government that our people have reached such a stage of development that you can without any fear effect these reforms. (*Hear, hear.*) I say, in matters like these, we must move on the lines of our ancestors. What is painful to me is, one of the politicians of our Presidency, when I told him of all these objections, said that it is a practical move because we are placing the Government in an awkward position. My point is we are in a position to place the Government in an awkward position legitimately instead of resorting to this matter which is unfair and dishonest when we ourselves know that what we propose to be carried out cannot be done. (*Hear, hear.*) I have observed in this House before that we should remove an executive which produces an irresponsible opposition. Now, if by a chance my friend, the Hon'ble the mover, chances to sit there by the turn of the wheel of fortune, would he be able to carry this resolution into effect?

Mr. K. T. Mathew.—Why not? If not, I will resign.

Dr. A. R. Menon.—Would he be able to carry this into effect? Would he be able to bring such a resolution here? Because, knowing perfectly well to-mrorow he may be called upon to act what he proposes to do, he would be very careful only to preach things which are practicable, which are reasonable, and no one is more anxious than I am to see that this age of darkness, through which we are passing, this age of communal dissension and communal animosity will, in course of

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time, pass away and to see the glimmering of the dawn of a new day, when we shall be able to face this question with less animosity, when we shall be able to understand and appreciate the raasons why such changes should be effected, for, by only bringing together the various component parts, this old land will ever remain with its liberty, its glory, and its prestige, (*hear, hear*) and I am second to none in my aspirations for that. But I regret that such questions should be brought into this Council unnecessarily, knowing perfectly well that such a reform could not be effected, and it is an irresponsible action.

Mr. K. Mohamed Seethi.—Sir, in rising to support this resolution I feel it my duty to express my heartfelt appreciation of the motive that actuated the Hon'ble the mover to bring this resolution before the House. I am sorry I am not able to see eye to eye with my friend, the Hon'ble Member for Trichur, in characterising this resolution as irresponsible. My own feeling is that the Hon'ble Member who has sponsored this resolution is actuated by the highest of motives and I sincerely appreciate it.

The first thing I have to do is to answer the point raised by my Hon'ble friend, the Member for Cheruvirutti, in opposing this resolution. His point is that revenue is not collected on a cosmopolitan basis, and if a part or a section of the body politic has got certain scruples or sentiments they should be respected even at the expense of the scruples and sentiments of the majority constituting the body politic.

Mr. V. V. Anantapadmanabha Ayyar.—I never said that it should be at the expense of other communities.

Mr. K. Mohamed Seethi.—Well, he did not say so in so many words. His proposition is one which, if given practical effect to, will have that result. (*Hear, hear.*) Of course he can say that he did not say so in so many words. If the majority of the people want that they should also have access to the tanks maintained by the Government, what my Hon'ble friend proposes is that they must be provided with separate tanks and the minority using the existing public tanks must be allowed to go on with that privilege which they are enjoying. What I say is that, according to my friend, the *status quo* is to be allowed to continue to the advantage of the minority and at the expense of the convenience of the majority. That is my point.

Then again, the other point that a legislation which is ahead of popular feeling should not be resorted to will not stand a moment's scrutiny. If this argument is correct, my Hon'ble friend, the Member for Trichur, would not have been justified in supporting the resolution on cosmopolitan hostels because there was very strong feeling expressed against it, and my Hon'ble

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friend, the Member for Cheruvirutti, was the loudest in his opposition to that resolution on grounds which he has advanced today. Where people have not sufficiently realised the necessity for reform, if only the Government realises that at least institutions maintainted by them should be thrown open to all classes of the people that will be a very healthy example to such people. By saying that the Government should throw open such institutions as are maintained by them to all classes of the people it does not mean that the Government is interfering with the social liberties of the people.

Deputy President.—Not directly but indirectly.

Mr. K. Mohamed Seethi.—If that is so, Government have already committed certain sins which my Hon'ble friend cannot pardon at all. Was not the throwing open of the roads to all classes obnoxious to and out of joint with the sentiments and scruples of certain sections of the people? Was there not opposition even to that? Was there no opposition to admission of all classes of pupils to public schools? If the Government could resist that opposition and throw open those institutions and amenities of life to all classes of people, they can certain ly do the same in this matter also.

With regard to the Legislative Council taking interest in matters like this, what I say is, the Legislative Council represents the intelligentsia of all communities in the country, and it is the duty of this Council to sense the needs of all classes in the country and to give the people the right lead to sink down these differences and bring about communal harmony and fraternity so essential for the development of this country. I, therefore, strongly support this resolution. (*Hear, hear.*)

Mr. A. L. Antony.—The Hon'ble Member for Cheruvirutti raised the point that, if a section of the people has got a separate want or a facility different from the feelings and customs of other communities, it is not one individual of that section that should do it, but it is the Government that should support it. If we take up that maxim, there are various communities, and they have got different customs and social things, and if the Government is to give facilities to all these various sections, say, for the construction of Churches for Christians, of Mosques for Muhammadans, or for any other conveniences according to their religion, caste or creed, then Government would be placed in a very difficult position. (*Hear, hear.*) So that ground must fail. So long as money is collected from all classes of the people, the public funds are to be open to all. Sentiments are not at all touched by that. Those who have got sentiments, and those who think that they cannot use a tank or

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well constructed out of public funds and used by all classes of people, let them have their own private tanks. If they want to keep up their lofty view, let them have it not at the expense of public funds ; let them spend it from their own hands. We do not object to that. If they want to maintain their old, long-continued tradition or custom, let them enjoy that with full freedom, but not with the money collected from all people. So, by passing this resolution, my submission is, neither the religion nor sentiment nor the customs of any section of the people are in any way touched. So I whole-heartedly support this resolution because it does not affect either communalism or society or religion.

Mr. K. P. Kannan Nayar.—How does he explain the point with reference to Puthenkulam business ?

Mr. A. L. Antony.—It is absolutely wrong. Who is going to support that ?

Diwan Bahadur Dr. V. Verghese.—May I ask one question ? Is there any objection to the amendment proposed by the Member for Trippunittura being accepted by the Hon'ble mover of the resolution ?

Mr. Thomas Manjuran.—I shall read the resolution as amended. "*This Council requests the Government to throw open all tanks and wells maintained out of public funds to all without the distinction of caste or creed and wherever it is not at all possible on account of religion, caste or other reasons, facilities equal to those existing already may without delay be created in the shape of new wells and tanks for the use of those not having such facilities.*"

Deputy President.—What is the necessity for the amendment ? Is there any complaint that facilities are not given ?

Mr. Thomas Manjuran.—There is a complaint that various tanks and wells are not allowed to be used by all sections of the people.

Deputy President.—Is there any complaint ?

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I would like to know at least half a dozen examples, say, three tanks and three wells, maintained out of public funds as distinct from Municipal funds not open to all castes. If we know that, we can explain our position and also see whether the Government have gone wrong or whether the Government have shown any partiality.

Mr. M. K. Raman.—Can the Hon'ble Member say that all tanks and wells now maintained by the Government are open to all classes ?

Mr. V. D. Ouseph.—In Irinjalakkuda there is one.

Diwan Bahadur Dr. V. Verghese.—I will reply that question of the Hon'ble Member for Revenue. The list of

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such wells is published in the Cochin Legislative Council Proceedings. The question was put by the Hon'ble Member for Kunnamkulam repuesting the Government as to the number of roads, wells and tanks not open to all classes and communities. Here in the appendix is given an exhaustive list of those existing at the time. The total number of tanks and wells maintained by public funds and not open to all sections of the people are 61 tanks and 123 wells of which 76 wells are attached to the water *pandals*.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I wanted to know that. It is just for a personal information.

Mr. C. A. Kunjunni Raja.—There is an amendment standing in my name. I do not propose to make any speech. The acceptance of the principle of the amendment will only show the full implication of the application of this principle which is now discussed. It reads: omit the words "all tanks and wells" and substitute "everything."

Mr. T. A. Ramachandra Ayyar.—I second it.

Mr. A. B. Salem.—We are quite willing.

Mr. M. K. Raman.—I would like to hear the view of the Government on this matter.

Diwan Bahadur Dr. V. Verghese.—Sir, in trying to oppose this resolution I hope I am expressing the sentiments of Government or for the matter of that of all civilised Governments that the ideal involved in the resolution is theoretically sound but there are things which are right but which are not expedient. Everything which is right is not expedient. So on that principle of expediency alone is the Government going to base its opposition to this proposition. Now unfortunately in our country there are castes and creeds which are different and which have been in existence for years and centuries. So the Government have got to reckon with things which are existing in the world which the Government have got to govern. Now the principle has been enunciated by the Member for Jews that any institution which is maintained from public funds must be enjoyed by all alike. No Government any where has accepted that principle at all. The legal principle involved in that has been clearly explained by the Member for Trippunittura. Only equality of enjoyment is all that any Government, as far as we know and the British Government is the ideal which we are rightly following, tries to bring about.

Mr. A. B. Salm.—Do you think that that statement applies to England?

Diwan Bahadur Dr. V. Verghese.—I am only speaking of India.

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Well I do believe the British Government is the most enlightened Government that we have in this part of the world and which has acknowledged this principle of holding out equality of enjoyment. The question of rights of caste and creeds is one which such an enlightened Government as the British still maintains.

Mr. A. B. Salem.—You characterise it as 'enlightened'. I call it 'darkened'.

Diwan Bahadur Dr. V. Verghese.—He is cutting in without any special necessity for it.

Mr. A. B. Salem.—You are cutting me.

Diwan Bahadur Dr. V. Verghese.—Then I will pass on to what local self-government does which is really now Government by the people. Every Municipality has accepted the principle of equality of enjoyment and equality of right, (*hear, hear*) and has also sunk wells and dug tanks in different places for different communities within the same Municipality. In Calicut it is so.

Dr. A. G. Menon.—Palghat also.

Diwan Bahadur Dr. V. Verghese.—I may say every Municipality in the Madras Presidency, all these self-governing institutions including District Boards everywhere are maintaining institutions reserved for communities. The question is this. Is there any disability for non-caste people where a well or tank exists now and maintained by the Government for the exculsive use of caste people, If that is brought forward, I may say that Government would only be too glad to remove that disability at the earliest moment possible. Why then press this question in this House ?

Mr. M. K. Raman.—Is there a public tank in Ernakulam, the Capital of the State, for the non-caste people to bathe ?

Diwan Bahadur Dr. V. Verghese.—I should say, if there is anyone going to press that, I would personally object his bathing in a tank. In a country where you are supplied with filtered water, in pipes, why do they want filthy water of a tank ?

Mr. M. K. Raman.—How is it welcome for the caste-Hindu people ? What is sauce for the goose is sauce for the gander.

Diwan Bahadur Dr. V. Verghese.—As I said,every Municipality in the Madras Presidency has set apart institutions for the convenience of different communities, and here now there are some such public wells. Will any Government order remove this disability now? No. There are wells now in localities where only a particular section of the people reside. I shall quote an instance. There are five public wells. In the small

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town of Pazhayannur, one is in a Paraya quarter and Parayas only are taking water from it and other castes are not using it. By that Government is not imposing any restriction; Government has regarded it as a public well, but it so happens that only Parayas are living there and no high caste people are going there. A second well is in Vadakunthara in the Nayadi Colony and only Nayadies are using it. There is a well in the Pillai quarters near the local Police Station and it is only used by the Pillai caste residing near this well. Other caste people do not find the necessity to use it. And then there is a well in the Pazhayannur girls' school. It is used by all the student population of that school as well as those who reside close by. A well in the Samaj reading room is used by high class Hindus only. As I said, where wells or tanks are used exclusively by a caste people, that is simply because of its situation where the other people do not reside and they do not want to go there. By a rule forcing the people to go and make use of such wells and tanks it will only have the effect of creating dis-harmony in places where no disharmony exists now. I went to a place called Chelakkara and a large tank was shown to me. It is all surrounded by Brahmins and it is maintained by the Government. Now to ask a non-caste-Hindu to go and use that would be nothing but an act which would create dis-harmony between sections of the people. Is that the intention of the mover? I am sure that is far from his intention. So there is no disability existing. After all, out of 5 or 6 hundred wells maintained out of public funds there are only 110 wells now which I find, according to this list, reserved for caste people and of these 76 wells are attached to the water *pandals* and there is only just a few which are not used by non-caste-Hindus and so really no disability and no inconvenience to non-caste-Hindus has been brought forward. In the matter of tanks, on account of large sums of money involved in the undertaking of the work, Government have not been able to give tanks for some people, but it is only on account of want of funds. And I believe now His Highness the Maharaja has kindly given a boon of 50,000 rupees for improvement of water supply and a good portion of it is proposed to be set apart for this purpose for the use of the Depressed Classes, non-caste-Hindus and all those who are now placed at a disadvantage. Government is really solicitous about their welfare and there is nothing like indifference on the part of Government to meet their needs as the passing of this resolution might imply. So, so far as the Government is concerned, we find it inexpedient and impracticable under the conditions we are living to give effect to this resolution.

Mr. P. Krishna Menon.—I believe that the principle underlying this resolution was given effect to in connection with

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the hostel at Kunnamkulam if I understand correct. May I know from the Hon'ble Member for Education whether the hostel is now carried on in the line of a sectarian hostel or is it a hostel conducted independently of each other or each section?

Rao Sahib Mr. C. Matthai.—It is an experiment on cosmopolitan lines. Formerly it was open only to caste students. Now the dwelling portion has been thrown open to all and then for cooking and messing we have got separate rooms.

Mr. P. Krishna Menon.—We shall proceed with the discussion to-morrow.

Deputy President.—We will now rise.

The Council rose for the day at 5 p. m.

T. K. KRISHNA MENON,

Secretary to the Council.

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